IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, ex rel. GEORGE BRADFORD HUNT and WALTER W. GAUGER, Relators, and the States of FLORIDA, CALIFORNIA, ILLINOIS, TENNESSEE,

TEXAS, MICHIGAN, LOUISIANA, NEVADA, MASSACHUSETTS, VIRGINIA, and the DISTRICT OF COLUMBIA,

CIVIL ACTION NO. 00-737

Plaintiffs, : Hon. Anita B. Brody

v.

MERCK & CO., INC., MERCK-MEDCO MANAGED CARE, L.L.C., and MEDCO HEALTH SOLUTIONS, INC.

Defendants.

UNITED STATES OF AMERICA, ex rel. JOSEPH PIACENTILE WALTER W. GAUGER, Relators, and

v.

MERCK & CO., INC., MERCK-MEDCO MANAGED CARE, L.L.C.,

Plaintiffs, : Civil Action No. 00-737 Filed In Camera and Under Seal Pursuant to 31 U.S.C. § 3730 (b) (2)

: JURY TRIAL DEMANDED

Defendants.

NOTICE OF ELECTION BY UNITED STATES TO INTERVENE

Pursuant to 31 U.S.C. § 3730(b)(4), the United States of America by and through its undersigned attorneys, hereby gives notice to the Court that it elects to intervene on Counts I and II of the Complaint docketed as 00-737 against defendant Merck-Medco Managed Care, L.L.C. (now known as Medco Health Solutions, Inc.) in the pending <u>qui</u> <u>tam</u> action and on Count I of the Complaint docketed as 99-2332 against defendants Merck-Medco Managed Care, L.L.C. and Medco Health Solutions, Inc. Both cases have been consolidated under docket number 00-737 and assigned to the Honorable Anita B. Brody

Having elected to so proceed, the United States will file its Complaint in Intervention on or before September 30, 2003.

Respectfully submitted,

PATRICK A. MESHAN United States Attor

JAMES G. SHEEHAN

Associate U.S. Attorney

CATHY YOUNG THOME

Special Assistant United States Attorney

Dated: June 20, 2003